

CONVEY TO THE STATE OF MAINE CERTAIN LAND IN
KITTERY, ME.

FEBRUARY 12, 1925.—Committed to the Committee of the Whole House on the
state of the Union and ordered to be printed

Mr. MORIN, from the Committee on Military Affairs, submitted the
following

REPORT

[To accompany S. 2634]

The Committee on Military Affairs, to which was referred the bill (S. 2634) authorizing the Secretary of War to convey to the State of Maine certain land in Kittery, Me., formerly a part of the abandoned military reservation of Fort McClary, having considered the same, report thereon favorably with the recommendation that it do pass.

This measure will return to the State of Maine a small tract of land donated to the United States in 1808 by an act of the Maine Legislature for fortification purposes only.

The act of the legislature is as follows:

MASSACHUSETTS GENERAL LAWS 1808

CHAPTER 124

AN ACT Providing for the cession of a certain piece of land in Kittery called Battery Pasture

SECTION 1. *Be it enacted by the senate and house of representatives, in general court assembled, and by the authority of the same,* That all the right and title of this Commonwealth to a certain piece of land in Kittery, in the county of York and Commonwealth aforesaid, called Battery Pasture, on which a fortification formerly stood, and is bounded on the north by the road, on the west by Frollet, on the south by the river, and on the east by Follet, and contains one acre and one hundred and thirty-nine rods, as will appear by a report made to the Hon. David Sewall, Esq., agent for this Commonwealth, by Benjamin Parker, surveyor, about the year seventeen hundred and ninety-eight, be, and hereby is granted and ceded to the United States, for the sole purpose of erecting fortifications for the defense of the United States.

SEC. 2. *Be it further enacted,* That the cession aforesaid is granted upon the express condition that this Commonwealth shall retain a concurrent jurisdiction with the United States in and over the tract of land aforesaid so far as that all

civil and such criminal processes as may issue under the authority of this Commonwealth, against any person or persons charged with crimes committed without the said tract of land, as though this cession had not been made.

Inasmuch as this parcel is part of that for which the War Department has no further need for military purposes that department favors its return to the State, as evidenced by the letter of the Secretary of War contained in the report of the Senate Military Committee, which is made a part of this report as follows:

MARCH 26, 1924.

HON. JAMES W. WADSWORTH, JR.,
*Chairman Committee on Military Affairs,
United States Senate.*

MY DEAR SENATOR WADSWORTH: With reference to your request of March 1, 1924, for a report on S. 2634, a bill to authorize the Secretary of War to convey to the State of Maine certain land in Kittery, Me., formerly a part of the abandoned military reservation of Fort McClary, I am pleased to inform you that inasmuch as the title of the United States in the land is conditioned upon its use for fortification purposes, the need for which no longer exists, the War Department has no objection to the proposed legislation.

JOHN W. WEEKS, *Secretary of War.*

In this connection it may be stated the State of Maine has purchased all the lands of Fort McClary, except this tract of about 1.87 acres, under the provisions of the act approved March 4, 1923.

Under the circumstances your committee urges prompt and favorable action on this measure.

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